

09/530746



UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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VICTOR H. LEE
ROCHE MOLECULAR SYSTEMS, INC.
1145 ATLANTIC AVENUE
ALABAMA, CA 94511

INTERNATIONAL APPLICATION NO.

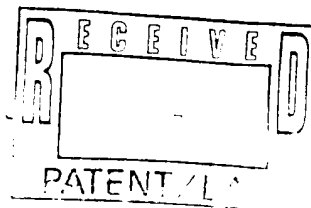
1A FILING DATE	PRIORITY DATE
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DATE MAILED

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☒ a non-English language.
 - ☐ English.
- ☒ Translation of the international application into English.
- ☒ Oath or Declaration of inventor(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☒ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 04 May 00 and _____
- ☐ Information Disclosure Statement(s) filed _____ and _____
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed _____
- ☐ Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:



2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- 4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
- 5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation ☐ International Search Report
☐ PTO-875
 FORM PCT/DO/EO/905 (December 1997)
 Telephone: (703) 703-805-3734

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Victor K. Lee

(Print Name)

Date: November 13, 2000

(Signature)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Kessler et al.
Based on International Application No. PCT/EP98/06952
Serial No.: 09/530,746
Filed: May 4, 2000

Group Art Unit: To Be Assigned
Examiner: To Be Assigned
Attorney Docket No.: 4817/0Q

For: SPECIFIC AND SENSITIVE NUCLEIC ACID DETECTION METHOD

TRANSMITTAL OF DECLARATION UNDER 35 U.S.C. §371

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Alameda, CA
November 13, 2000

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. §371, dated June 12, 2000, Applicants submit the following documents:

1. Combined Declaration and Power of Attorney for Patent Application executed by the inventors;
2. A copy of the Notification of Missing Requirements under 35 U.S.C. 371
In the United States Designated/Elected Office (DO/EO/US);
3. A Petition for Extension of Time Under 37 C.F.R. §1.136 (a); and

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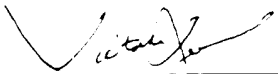
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4. A surcharge of \$130.00 for providing the declaration later than the 20 or 30 months from the priority date. Please charge the required fee to Deposit Account No.: 50-0812. A copy of this sheet is enclosed.

Respectfully submitted,

Dated: November 13, 2000



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